

Conflict of Interest (COI) Certificate

Instructions

Who must submit this Form?

1. All current employees must submit an initial COI Certificate.
2. A new employee must submit an initial COI Certificate as part of the employment process.
3. An employee must submit a new COI Certificate any time any information previously disclosed in a COI Certificate changes.
4. The Laboratory Deputy Director, Executive Director, Principal Associate Directors, Associate Directors, General Counsel, Chief Financial Officer, Chief Information Officer, Ethics and Audit Director, Community Programs Office Director, Prime Contract Management Office Director, LANS LLC Executive Staff Director, Technology Transfer Division Leader, Acquisition Services Management Division Leader, Benefits Plan Administrator in HR-Benefits, attorneys in Laboratory Counsel, and Procurement Organization personnel must submit COI Certificates on an annual basis.
5. An employee who is transferred or promoted to a position that requires an annual COI Certificate, as discussed in No. 4, above, must submit a new Certificate within 30 business days of assuming the new duties.
6. Any other employee, upon request of a supervisor/manager in order to identify and evaluate potential conflict of interest issues, must submit a new Certificate within 10 business days after receiving the request of the supervisor/manager.

How to submit the Form

The form should be submitted to the Laboratory's Conflict of Interest Officer at Mailstop D449, Fax 665-3664, or email to coi@lanl.gov for approval or other appropriate action. Senior managers/advisors specifically identified in No. 4, above, should submit this form to the Laboratory Director's Executive Office Manager at Mailstop A100.

Questions

If you have questions about completing this form, please call the Laboratory's Conflict of Interest Officer at 665-3245.

Definitions

Actual Conflict of Interest—A situation in which an employee has an outside financial interest, employment relationship, consulting arrangement, or other nonfinancial personal interest or obligation that may affect, or be affected by, a LANL decision or action for which the worker is responsible.

Apparent Conflict of Interest—A situation in which a third party observer would reasonably conclude from the observable facts that it is likely, in the absence of reasonable safeguards, that an actual conflict of interest exists. For example, a worker works on a personal project at their LANL duty station during the time the worker normally is engaged in LANL work.

LANS Affiliate—Any division, subsidiary, or affiliate of Bechtel Group, University of California, URS, (formerly Washington Group International), and BWXT Services, Inc., including joint venture arrangements involving any of these companies.

Outside Activity—A professional or business activity conducted outside the normal course and scope of an employee's LANL job and that may or may not involve compensation. It includes, but is not limited to: outside employment; consulting; operation of a business as a sole proprietor; ownership or participation in a proprietorship, partnership, firm, corporation, joint venture, syndicate, trust, or consortium; participation in a business or not-for-profit as an owner, director, officer, partner or manager; participation with any LANS affiliate; and service on local, state, or national commissions, government agencies and boards, committees or advisory groups to universities, peer-review groups, not-for-profit organizations, corporate boards of directors, as well as speech-giving, writing, editing, and lecturing. For the purpose of this definition, activities that involve hobbies, sports, civic, or religious organizations are not classified as outside activities.

Privileged Information—Includes but is not limited to, unpublished information relating to technological and scientific developments; medical, personnel, or security records; anticipated materials requirements or pricing actions; possible new sites or changes to existing sites for DOE, LANS, or LANL operations; internal DOE, LANS or LANL decisions; policy development; and knowledge of selections of contractors or subcontractors in advance of official announcement.

Proprietary Data—Technical data that embody trade secrets developed at private expense, such as design procedures or techniques, chemical composition of materials, or manufacturing methods, processes, or treatments, including minor modifications thereof, provided that such data (1) are clearly marked as proprietary by the originator or source; (2) are not generally known or available from other sources without obligation concerning their confidentiality; (3) have not been made available by the owner to others without obligation concerning their confidentiality; and (4) are not already available to the government without obligation concerning their confidentiality.

Technical Data—Recorded information, regardless of form or characteristic, of a scientific or technical nature. For example it may document experimental, developmental, demonstration, research, or engineering work, or it may be used to define a design or process or to procure, produce, support, maintain, or operate material. Examples of technical data include research and engineering data, engineering drawings and associated lists, specifications, standards, process sheets, manuals, and technical reports.

This Form must be completed by all employees as part of the employment process, any time facts previously disclosed change, any time an employee is transferred or promoted to a position that requires an annual disclosure, or any time upon the request of a supervisor/manager in order to identify and evaluate potential conflict of interest issues. The Laboratory Deputy Director, Executive Director, Principal Associate Directors, Associate Directors, General Counsel, Chief Financial Officer, Contractor Assurance Officer, Chief Information Officer, Ethics and Audit Director, Community Programs Office Director, Prime Contract Management Office Director, LANS LLC Executive Staff Director, Technology Transfer Division Leader, Acquisition Services Management Division Leader, Benefits Plan Administrator in HR-Benefits, attorneys in Laboratory Counsel, and Procurement Organization personnel must complete this form on an annual basis.

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|----------------|--------------------|------------|---------------|
| Employee Name: | | | Z-Number: |
| Job Title: | LANL Organization: | Mail Stop: | Phone Number: |

Reason(s) for submitting this Form:

- ☐ COI Certificate for Current Employee
 ☐ COI Certificate for New Employee
 ☐ Report Fact Changes
☐ Annual COI Certificate
 ☐ Promotion or transfer to a position requiring an annual submission of a COI Certificate

Conflict of Interest Considerations

- Do you have a substantial financial interest¹ in, or management responsibility² for, or an Outside Activity with, any company or sole proprietorship that:
 - ☐ Does or seeks to do business with LANS/LANL (e.g. subcontract, WFO agreement, etc.)
 - ☐ Has or seeks an intellectual property license from LANS/LANL or DOE
 - ☐ None of the above
- Is any near relative (spouse, child, step-child, sibling, parent, or in-law) or any member of your household:
 - ☐ An employee of LANS/LANL whom you supervise
 - ☐ An employee of LANS/LANL who works in the same directorate, division, or group as you
 - ☐ An employee, director, representative, owner, or part-owner of any company that does business with LANS/LANL, seeks to do business with LANS/LANL, or has an intellectual property license from LANS/LANL
 - ☐ An employee of DOE/NNSA or any DOE Contractor in Los Alamos other than LANS/LANL
 - ☐ None of the above
- Do you supervise, give work direction to, or evaluate performance of any employee(s) of a LANS/LANL subcontractor in which you have a substantial financial interest?
 - ☐ Yes
 - ☐ No
- Do you have a close personal relationship with a person that could raise concerns about the appearance of bias or conflicts of interest in connection with your responsibilities as an employee of LANS/LANL because of the person's role as:
 - ☐ An employee of LANS/LANL
 - ☐ An employee, director, representative, owner, or part-owner of a company that does business with or seeks to do business with LANS/LANL
 - ☐ An employee of DOE/NNSA or any DOE Contractor in Los Alamos (other than LANS/LANL)
 - ☐ None of the above

¹ "Substantial financial interest" means an ownership interest that exceeds 5% of an entity and has a market value in excess of \$10,000, but the term does not apply to insurance policies, bank accounts, or credit union accounts.

² "Management responsibility" includes, but is not limited to, serving on a Board of Directors.

5. In addition to being an employee of LANS/LANL, are you also an employee of:

- ☐ Bechtel
☐ University of California
☐ B&W
☐ URS, formerly Washington Group International
☐ None of the above

6. Are you aware of any other facts or circumstances that could lead to a conflict, or an appearance of a conflict, between your responsibilities as a LANS/LANL employee and other personal interests?

- ☐ Yes
☐ No

Please describe the relevant facts for any answer to questions 1 through 6 other than a "No" or "None of the above" response. Include the question number(s) and, as appropriate, the a) names of the relevant businesses, subcontractors, vendors, charitable organizations, etc.; b) the family, personal, or other relationships involved; c) the names of immediate family members, members of your household, or those with a close personal relationship; and d) any other relevant facts.

Certification

I certify that I have answered all questions accurately and completely. To the best of my knowledge and belief, I have disclosed all facts that could cause a conflict, or an appearance of a conflict, between my responsibilities as a LANS/LANL employee and my personal interests or personal interests of a family member.

I understand that I must submit an updated form any time facts arise that would change the answers I have provided in this form, including any new facts that could create a conflict of interest or the appearance of a conflict of interest.

Employee Signature

Date

COI Office Determination

☐ COI Certificate reviewed

COI Officer (*type or print*)

COI Officer (*signature*)

Z Number

Date

Laboratory Director (*signature*)

Date

COI Office Use Only – Documentation of Follow Up Action